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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/089,235	03/28/2002	Shigeru Nagata	1163-0400P	4565
2292	7590	11/17/2005	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH				DESIR, JEAN WICEL
PO BOX 747				ART UNIT
FALLS CHURCH, VA 22040-0747				PAPER NUMBER
				2614

DATE MAILED: 11/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/089,235	NAGATA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Jean W. Désir	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 28 March 2002.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-8,11-16 and 18-21 is/are rejected.
- 7) Claim(s) 9,10 and 17 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 28 March 2002 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date 3/02, 11/04.
  - 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.
  - 5) Notice of Informal Patent Application (PTO-152)
  - 6) Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-8, 11-16, 18-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Mathias et al (WO 00/38951).

#### **Claim 1:**

Mathias discloses:

In a video reproducing equipment (see Figs. 1, 4, 10) having at least a pair of units and a chassis for holding said units, comprises:

supporting means (32, 38 of Fig. 1, 132, 134 of Fig. 10) for supporting a displacement of said pair of units;

and fixing means (140, 178 of Fig. 10) for fixing the displacement;

wherein said pair of units are displaced in respective directions and fixed and housed in a predetermined position (page 15 lines 14-20, page 17 lines 3-15).

Claim 2: wherein said pair of units are respectively disposed in an upper (32 of Fig. 1) and lower (38 of Fig. 1) position.

Claim 3: wherein one of said pair of units is held between the other unit and said chassis to house said pair of units (page 6 lines 17-23).

Claim 4: wherein said pair of units use in common said supporting means to simultaneously displace said pair of units to the predetermined position (see page 10 lines 4-10).

Claim 5: wherein, in a state where the displacement of one of said pair of units is fixed in the predetermined position, the other unit is independently displaced and fixed within a predetermined range (see Fig. 1 items 28, 32, 34).

Claim 6: wherein said equipment is disposed on a plane having a recessed portion, and wherein at least part of one of said pair of units is displaced so as to receive it into said recessed portion (see Fig. 1, 5).

Claims 7, 8 are disclosed, see page 14 lines 9-21.

Claim 11 is disclosed, see Fig. 1 item 32, Fig. 10 item 134.

Claim 12 is disclosed, see page 7 lines 6-12.

Claims 13, 14 are disclosed, see page 10 lines 4-15.

Claim 15 is inherent to Mathias's disclosure.

Claim 16 is disclosed, see page 12 lines 16-20.

Claims 18, 19 are disclosed, see page 9 lines 11-15, page 10 lines 12-23.

Claim 20 is disclosed, see page 15 lines 14-19, page 6 lines 17-20.

Claim 21 is disclosed, see page 7 lines 6-12.

***Allowable Subject Matter***

3. Claims 9, 10, 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean W. Désir whose telephone number is (571) 272 7344. The examiner can normally be reached on 5/4/9 - First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on (571) 272 7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JWD  
Nov. 11, 05



JOHN MILLER  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600